

Bedford Hills, New York
March 1, 2011

A public hearing was held by the Town Board of the Town of Bedford on March 1, 2011 at the Town Offices, 321 Bedford Road, Bedford Hills, New York to consider Local Law #1-2011 to amend Chapter 71 of the Code of the Town of Bedford regarding neglect of historic property. The meeting was called to order at 7:32 P.M. by Supervisor Roberts.

Present:	Lee V. A. Roberts	: Supervisor
	Peter Chryssos	: Councilman
	Francis T. Corcoran	: Councilman
	Chris Burdick	: Councilman
	David Gabrielson	: Councilman
	Lisbeth Fumagalli	: Town Clerk
	Joel H. Sachs	: Town Attorney
	Edward J. Ritter	: Comptroller
	Jeffrey Osterman	: Director of Planning
	James Genovese	: Building Inspector

and approximately four (4) residents/observers.

Mrs. Roberts called the meeting to order.

Proof of publication was presented and ordered filed. The public notice was published in the Bedford Record Review on February 18, 2011.

John Stockbridge, Town Historian and member of the Historic Building Preservation Commission explained the proposed local law, noting that the intent of it was to preserve our history as a Town.

Mrs. Roberts opened the floor for public comment.

Simon Skolnik, Chairman of the Conservation Board expressed his Board's support for this legislation.

Deirdre Courtney-Batson, Chairwoman of the Katonah Historic District Advisory Commission also expressed support as did a resident from Bedford Village.

On a motion by Mrs. Roberts, seconded by Mr. Corcoran, the following resolution was ADOPTED

Ayes:	Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays:	None
Absent:	None

RESOLVED that the Town Board does hereby close the public hearing on the proposed Local Law #1-2011 to amend Chapter 71 of the Code of the Town of Bedford regarding neglect of historic property.

On a motion by Mr. Burdick, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes:	Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays:	None
Absent:	None

RESOLVED that the Town Board does hereby issue a negative declaration under the State Environmental Quality Review (SEQR) as this legislation, Local Law #1-2011 to amend Chapter 71 of the Code of the Town of Bedford regarding neglect of historic property, will have no adverse physical or environmental effects.

On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby enact the following legislation:

LOCAL LAW NO. 1 - 2011 TO AMEND CHAPTER 71 OF THE TOWN CODE

BE IT RESOLVED, that the Town of Bedford Amends Chapter 71 of the Code of the Town of Bedford regarding neglect of historic property as follows:

BE IT ENACTED by the Town Board of the Town of Bedford as follows:

Section 1. Chapter 71, of the Code of the Town of Bedford entitled Historic Districts is hereby amended in the code by adding a new article, namely article V, entitled “Neglect of Historic Property”, as follows:

§71-47. Neglect of Historic Property

A. In the Town of Bedford, certain buildings have been designated by statute as historic structures by reason of age, character or role in significant historic events. In accordance with Article I, S 71-1 and 2; Article II, S 71-8 and 9; and Article III, S 71-19 and 20 of the Town Code of the Town of Bedford the following ordinance is hereby adopted.

B. A property owner of a designated historic structure, by virtue of its being located within the Bedford Village Historic District, the Katonah Historic District or is a historic building that is at least 200 square feet and is either built before 1900 or is registered on the list of National Register of Historic Places, or was constructed after 1900 but is listed on the Survey of Historic Buildings prepared by the Town who allows such structure, through neglect, to deteriorate into a state of disrepair that could result in the destruction of such building or its historic architectural features or will, in the judgment of the Historic Board or Commission having jurisdiction over that structure, have a detrimental effect upon the historic character of the building, property or Town as a whole, shall be in violation of this chapter.

C. Such neglect includes, but is not limited to:

- 1. Allowing deterioration of the integrity of any structural supports.**
- 2. Allowing deterioration of weather-tight integrity of roofs and exterior walls.**
- 3. Allowing deterioration of weather-tight integrity of exterior openings.**
- 4. Allowing deterioration of structural integrity of exterior chimneys.**
- 5. Allowing the deterioration of any feature so as to create a hazardous condition.**
- 6. Allowing the infestation of animals or bug life.**

§71-48. Enforcement

The Building Inspector, upon his/her own observation or upon the request of the Historic Building Preservation Commission, Bedford Village Historic District Review Commission, or Katonah Historic District Advisory Commission, shall issue a notice of violation consistent with this section requiring immediate remediation, maintenance and/or repair of the designated historic structure. Failure to cure the violation(s) set forth in the notice of violation within thirty days of the notice of violation being issued shall be a violation of this chapter and cause the Building Inspector to issue a summons setting forth the violation(s).

§71-49. Penalties for Offenses

Any person found guilty of violating this chapter shall be guilty of a violation and subject to a fine of \$250.00 per day until the violation is remedied in accordance with the notice of violation or, in the alternative, a term of imprisonment not to exceed fifteen (15) days. Nothing herein shall prevent the Town of Bedford from commencing an action in

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Westchester County Supreme Court seeking injunctive relief in order to cure a violation of this chapter.

Section 2. This Local Law shall become effective upon filing with the Office of the Secretary of State.

[-----] – deleted material

Bold - added material

There being no further discussion the hearing was adjourned at 7:49 pm.

Lisbeth Fumagalli, Town Clerk